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EXAMINER

GUERRA-ERAZO, EDGAR X

ART UNIT

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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DETAILED ACTION

Response to Amendment

1. In response to the office action from 11/30/2009, the Applicant has submitted an amendment, filed on 12/30/2009, amending Claims 1, 4, 6, 8, 10, 14, 35, 38 and 45-49 and cancelling Claims 2-3, 5, 7, 9, 11-13, 15-34, 36-37 and 39-44. Applicant's arguments have been fully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4, 6, 8, 10, 14, 35, 38, 45-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Polcyn (U.S. Patent: 6,865,258) in view of Sibal et al. (U.S. Patent Application 2003/0182622), hereinafter referred to as Polcyn and Sibal.

With respect to **Claims 1, 35, 45**, Polcyn discloses:

A method, machine-readable medium having instructions which when executed cause a machine to, and system comprising:

receiving at a server computer system a client request from a client computer device via a network (calling party transcription request and EMS 206 in communication via network 204, Col. 7, Lines 56- Col. 8, Line 28);

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interpreting **the client request** including identifying a selection of at least one of a plurality of web interaction modes (EMS 206 may comprise voice capture capability, voice record capability, voice play capability, voice recognition, DTMF recognition, Col. 10, Lines 10-19), each of the plurality of web interaction modes to perform interpretation of content **being transmitted between the** server **computer** system and **the** client **computer** device (the communicating party routed via network 204 to EMS 206 where EMS 206 comprises capability to receive image, fax, video, email; various forms of data may be communicated to the EMS 206 such as audio data, DTMF data, fax data, textual data, Col. 10, Lines 6-19, 37-61); and

identifying a web interaction mode selected by the client computer device (the transcription interface application monitors the transcriber's activity and automatically adjusts the presentation of data to be transcribed according to such activity data type, Col. 12, Lines 18-35), **and performing speech processing based on the selected web interaction mode** (the transcription application utilizes voice recognition where the segment may be automatically transcribed and displayed in the appropriate field of data entry screen, Col. 14, Lines 14-32, 48-59), **wherein performing speech processing includes determining** an active display element **that is to be focused** (transcription application determines the transcriber's focus by determining the position of the cursor, Col. 17, Lines 21-39) **and identifying the active display element with its associated identifier** (the transcription application identifies the appropriate message segment corresponding to the transcriber's focus at block 410, and the transcription application may begin the presentation of the data of the appropriate message segment, Col. 17, Lines 21-39).

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Polycin, however does not explicitly disclose, but Sibal discloses **retrieving a synchronization relationship between one or more speech elements and the active display element to compose grammar of the** one or more speech elements (synchronizing field/partial field inputs between voice and visual browsers so that the user can fill out different fields of a single form using a combination of both voice and visual/tactile mode; synchronizing the voice browser by pointing the voice browser to a dialog on the VXML page that corresponds to that field; “granularity”; multi-modal platform 110 communicatively connected to and from computer device 102 and Web server 120 storing and/or generating markup content, Paragraphs [0031], [0032], [0040], [0045], [0055]-[0058], [0135], Figs. 1, 5 and 7), and dynamically correcting **the composed grammar of the one or more speech elements** using a real-time speech recognition based on the synchronization **relationship** (field/partial field inputs allowing the user to type "New" and speak "York"; typing the city “New York” and speaking the zip code “10001” according to “granularity”, Paragraphs [0031], [0032], [0033], [0034], [0055]-[0058], [0135]).

Polycin and Sibal are analogous art because they are from a similar field of endeavor in facilitating improved web accesses applications. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Polycin with the technique for synchronizing visual and voice browsers to enable multi-modal browsing taught by Sibal in order to advantageously provide the user the usability to both browsers (visual and voice browsers) to interact with content simultaneously, (Paragraphs [0004]-[0006]).

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With respect to **Claims 4 and 38**, Sibal discloses:

wherein the focused active element comprises a hyperlink or a field in a form **(the user can fill out a single field using a combination of voice and visual/tactile input (e.g., entering a city name by typing “New” followed by speaking “York”), Paragraphs [0031], [0032], [0025], [0027], [0055]-[0058], [0135]).**

With respect to **Claims 6 and 46**, Sibal discloses:

further including: extracting speech features from a user **speech** input, wherein the user speech input is contained in the client request (synchronizing field/partial field inputs between voice and visual browsers so that the user can fill out different fields of a single form using a combination of both voice and visual/tactile mode, Paragraphs [0031], [0032], [0040], [0020], [0022], [0024], [0025], [0027], [0055]-[0058], [0135], Figs. 1, 5 and 7).

With respect to **Claims 8 and 47**, Sibal discloses:

further including: receiving a session message at the server computer system to initialize a connection between the server computer system and the client **computer** device, wherein the session message includes an internet protocol (IP) address of the client **computer** device, a device type of the client **computer** device, a voice character of a user responsible for the user **speech** input, a language of the user input, and a default recognition accuracy requested by the client **computer** device **(multi-modal platform 110 communicatively connected to computer device 102 and Web server 120, client/server topology, web page 106 as portal page allowing the client to send request; computer device 102 requesting according to HTTP protocol; type of device; playing audio through speaker; multi-modal platform 110**

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configured to a “hit” of its own port as a signal to send information to visual browser, Paragraphs [0020]-[0022], [0024], [0025], [0027], [0028], [0031], 0032], [0038], [0055]-[0058], [0135]).

With respect to **Claims 10 and 48**, Sibal discloses:

further including: receiving a transmission message at the server **computer system** to exchange transmission parameters between the server computer system and the client **computer** device **(multi-modal platform 110 communicatively connected to computer device 102 and Web server 120, client/server topology, web page 106 as portal page allowing the client to send request, Paragraphs [0020], [0022], [0024], [0025], [0027]).**

Also, Polycin disclose the communicating party routed via network 204 to EMS 206 where EMS 206 comprises capability to receive image, fax, video, email; various forms of data may be communicated to the EMS 206 such as audio data, DTMF data, fax data, textual data, (Col. 10, Lines 6-19, 37-61).

With respect to **Claims 14 and 49**, Sibal discloses:

further including: receiving an exit message at the server computer system to terminate a user session with the server computer system and the client **computer** device **(logger module, time stamping, Paragraph [0278]).**

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 Form.

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5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edgar Guerra-Erazo whose telephone number is (571) 270-3708. The examiner can normally be reached on M-F 7:30a.m.-5:00p.m. EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private

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PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Edgar Guerra-Erazo/
Examiner, Art Unit 2626

/David R Hudspeth/
Supervisory Patent Examiner, Art Unit 2626